

Annapolis Conservancy Board

Thursday, July 8, 2010, 5:30pm

Truxtun Park Recreation Center, Room #1

Meeting Minutes

Members Present:

Jay Baldwin, **Chair**
David Fogle

Tom Lippert, Vice Chairman
Jon Chapman

Karen Jennings
Joel Dunn

Members Absent:

Gretchen Cliff

Staff Present:

Steve Carr

Tami Hook, Recorder

HOUSEKEEPING:

A. May 13, 2010 Meeting Minutes

Mr. Lippert moved approval of the May 13, 2010 meeting minutes as amended. Mr. Fogle seconded the motion. The motion passed unanimously in a vote of 6-0.

B. Review Minutes & Activities of Other City Boards

The minutes of the Annapolis Environmental Commission and the Annapolis Recreation Advisory Board were provided for review. Members were encouraged to submit any questions or concerns to staff.

C. Budget

Staff clarified that the City will only be funding essential items for this fiscal year so nonessential purchases will be delayed until October.

D. Land Trust Alliance Membership

Staff noted that based on the City's current budget constraints, the LTA membership will not be funded because it is considered to be a nonessential purchase. Ms. Jennings recommended moving forward with submitting the request to fund the LTA membership renewal, or to solicit donations if it is appropriate. Mr. Dunn agreed to forward to staff a copy of the letter he previously drafted in support of the ACB's membership renewal. Mr. Dunn will prepare an updated letter on behalf of the Board to the Mayor, requesting funds for renewal of the ACB's LTA membership. The letter will be sent to the Board for review and approval prior to being sent to the Mayor.

E. Land Trust Alliance Magazine

Staff provided a copy of the LTA Magazine that included the article written by Mr. Carr. Staff was directed to deliver a copy of the article to the Mayor when submitting the LTA membership renewal request.

G. Mail

There was no mail for review.

F. 2009 Annual Report

Staff had provided a copy of the 2009 Annual Report to the City Clerk in early January for posting on the City website but this did not occur. Staff recently requested the City IT staff to post the report on the City website and this was done.

NEW BUSINESS:

A. New Cooperative Agreement

Staff provided background on this agreement between the ACB and the Maryland Environmental Trust, stating that MET has been reviewing and making changes to the original proposal. Staff requested that Mr. Chapman review the document and report back with recommendations on any changes or edits. The remaining Board members were also encouraged to review the document.

B. Maryland Estate Tax Legislative Update for Land Trusts

Staff provided for information purposes the changes on the Maryland Estate Tax Legislative Update for Land Trusts.

C. Must ACB File a 990 With IRS Each Year or Lose Tax Exempt Status?

Staff received notification from the Trust for Public Lands, regarding the need to file a 990 form with the IRS, but noted that all municipalities are tax-exempt so the Board does not have to file the form.

D. MET Chooses New Chairman of the Board – James O’Connell

Staff reported that MET has a new Chairman of the Board – James O’Connell. Mr. Chapman believes that Mr. O’Connell is a good choice as he is supportive of environmental issues.

Staff asked if it would be beneficial to invite Mr. O’Connell to a Board meeting. Mr. Chapman suggested inviting him to a meeting after the cooperative agreement has been adopted and agreed to follow up on this issue.

E. Federal Enhanced Conservation Easement Incentive Status

Staff included information on the Federal Enhanced Conservation Easement Incentive Program. Mr. Dunn added that the House passed the easement incentive but the Senate did not, so the issue has been stalled. He noted that the Bush tax cuts are due to soon expire and with the impending increase in taxes, it may create an opportunity for more interest in the easement incentive program.

G. Boucher Place

Ms. Jennings asked if the Board should be involved in the in-fill development of Boucher Place. Staff explained that this is not under the Conservancy Board's purview but agreed to check into this and report back. He will be meeting with the Director of Planning and Zoning to go over the status of any developments in the pipeline.

H. Acton Landings Park

Mr. Dunn explained that the Acton's Landing Community has requested a water fountain for dogs and humans. He applied for a grant from the Annapolis Community Foundation and was awarded the grant. He contacted Ms. Plumer, Recreation and Parks Director, about installing the fountain and was told that the fountain could not be installed until late Fall. He asked that the Board send a letter to the Mayor requesting that the Recreation and Parks Department install the fountain ASAP. Mr. Chapman moved approval that the Board drafts a letter to the Mayor requesting his support for staff to install the Acton Park fountain. Mr. Fogle seconded the motion. The motion passed unanimously in a vote of 6-0. Mr. Dunn will prepare the letter to send out to the Board for their review and approval.

OLD BUSINESS:

A. New ACB Brochure – Montgomery County Example

Ms. Jennings was waiting to receive the LTA Magazine article in order to update the ACB brochure. Staff included a sample brochure from Montgomery County for Ms. Jennings to review. Because funding is not available to produce an new brochure, the Board agreed to consider pursuing a Chesapeake Bay Trust grant to pay for the brochure. This will be a standing agenda item.

B. Easement Inspections

Assign Parcels

Ms. Jennings and Mr. Chapman provided a report on the easements that they inspected at the last meeting. Staff agreed to send out an email to the Board requesting what easements were inspected and what easements remain to be inspected.

Reporting Forms

Mr. Baldwin agreed to draft a reporting form for staff to distribute to the members for review.

Mr. Chapman will provide Mr. Baldwin with a copy of the form the Maryland Environmental Trust currently uses so that it can be edited to the Board's specific needs. Once the form is approved then the Board will use it when inspecting its easements.

C. Environmental Ideas Team Recommendations (EIT) that Apply to ACB

Staff provided the EIT recommendations that apply specifically to the Conservancy Board for review. Ms. Jennings clarified that the Board agreed to prepare a letter to the Mayor expressing their support for the EIT recommendations. Mr. Dunn added that the intention of the Board's letter was to support the recommendations of the EIT to ensure that they are implemented. Staff believes that the Board should review the recommendations and come to the next meeting to discuss what it can do to help them to be implemented.

D. Baywoods Maintenance Plan

Mr. Chapman clarified that he had requested a contact for the Baywood Community from staff but never received it so went out to tour the site on his own. Upon his visit, he observed that there were several down pine trees and invasives. Staff reminded the Board that the Baywoods community has been very active in clearing invasives and has participated in the Montgomery County Weed Warrior program. Staff agreed to contact the community representative to resolve the Board's concerns and to offer assistance in helping with the maintenance.

E. Brewer Avenue Easement – Owner Needs Information from IRS Regarding Acceptable Valuation

Staff clarified that there are two easements. One was acquired through the subdivision process in the 90's. The other was acquired many years ago before the ACB existed. Ms. Jennings provided background on this easement noting that the adjacent property owners had requested approval from DNEP to clear the invasive plant species. During the process of obtaining approval it was noted that the property owners had passed away and the current owner has no interest in maintaining the easement. She noted that if the City acquired this land then it would offer a good opportunity for them to solicit grant funding to address the invasives removal and the water quality issues in this headwaters area of College Creek. Chairman Baldwin will discuss this matter with the property owner's attorney and report back to the Board. There is no additional action required of the Board.

F. Land and Water Conservation Fund Update

Mr. Dunn updated the Board on the "America Great Outdoors" initiative which is currently touring the country and soliciting feedback on how to improve the program. The tour stopped in Annapolis and the event was very well attended. He noted that there is still a movement on Capital Hill to move the land and water conservation fund forward. He further explained that there are still a several bills moving through the House and Senate in the hope of accomplishing this.

G. Community Network Alliance

Staff will research this urban land trust networking organization to see if it is something the ACB should become more involved with.

H. "Post Haste" Property Access Agreement Connecting Poplar & Spa Creek Trails Is Currently Being Reviewed by the 5 Property Owners

Staff noted that there are five property owners but there has been no movement on this agenda item other than the property owners have been given a draft access agreement to review and sign. He will continue to update the Board.

I. Kingsport

Status of Litigation, Enforcement Letter to HOA and Sign Posting

Mr. Carr explained that agenda item has been stalled as a result of the litigation.

J. 2004 Recreation & Parks Master Plan Not Adopted by City Council

Staff promised to obtain a digital copy of the plan for Board members, but noted that the City did not formally adopt the 2004 Recreation and Parks Master Plan.

K. GIS Conservation Easement Layer Exists in PDF Format

Mr. Carr explained that the conservation easement is in a GIS Layer on the Board's section of the City website. Mr. Chapman clarified that this information was requested because it was unclear where the Park Place easement is located. Staff will investigate further.

L. Admiral Oaks Easement – Document Signed and Recorded

Staff noted that there is an easement on Admiral Oaks and will try to obtain a copy of the site plan and the deed of conservation easement to share with the Board at the next meeting.

M. Spa Cove Easement – No Action By Spa Cove Owner

Staff noted that the Spa Cove easement developers are in foreclosure so there is no movement on this agenda item. Ms. Jennings observed that there was dumping in the easement. Mr. Carr will check this out and report back.

N. Park Place Easement Location

Staff spoke to Mr. Tom Smith (Planning & Zoning), who indicated that the areas adjacent to the old railroad spurs are where the easement is located. Ms. Jennings asked if staff could check to see if the developer is required to reforest the staging area.

O. St. Luke's Church

Mr. Fogle reported that the St. Luke's expansion project is moving forward. Between three to four acres will be donated to the City in the form of a conservation easement.

P. Welcome Back!

The Board took opportunity to welcome back ACB staff, Mr. Steve Carr, and expressed their appreciation for all his hard work over the years.

Q. Adjournment

The next meeting is scheduled for September 9, 2010 at 5:30pm. With there being no further business, Mr. Lippert moved to adjourn the meeting at 7:32pm. Mr. Chapman seconded the motion. The motion passed unanimously in a vote 5-0.

Tami Hook, Recorder